

THIS IS A COURTESY COPY OF THIS NOTICE. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE APRIL 6, 2015 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE NOTICE, THE OFFICIAL VERSION WILL GOVERN.

ENVIRONMENTAL PROTECTION

SITE REMEDIATION PROGRAM

NOTICE TO RECEIVE INTERESTED PARTY COMMENTS ON PROPOSED CONSENT JUDGMENT IN THE MATTER OF NJDEP V. EXXON MOBIL CORPORATION, DOCKET NO. UNN-L-3026-04, CONSOLIDATED WITH UNN-L-1650-05, AND IN THE MATTER OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, ET AL. V. EXXON MOBIL CORPORATION F/K/A GATX TERMINALS CORPORATION, DOCKET NO. GLO-L-1063-07 CONSOLIDATED WITH GLO-L-0563, AND CONCERNING EXXON MOBIL RETAIL GASOLINE STATIONS AND CERTAIN FACILITIES LOCATED IN THE STATE OF NEW JERSEY.

The New Jersey Department of Environmental Protection (the “Department”), the Commissioner of NJDEP and the Administrator of the New Jersey Spill Compensation Fund (collectively, “NJDEP”) hereby give notice of a proposed Consent Judgment concerning a settlement with the Defendant Exxon Mobil Corporation (“Exxon Mobil”) in the matter of NJDEP v. Exxon Mobil Corporation, Docket No. UNN-L-3026-04, consolidated with UNN-L-1650-05 (“Bayway/Bayonne Litigation”), and in the matter of NJDEP, et al. v. Exxon Mobil Corporation f/k/a GATX Terminals Corporation, Docket No. GLO-L-1063-07 consolidated with GLO-L-0563 (“Paulsboro Litigation”), and concerning Exxon Mobil retail gasoline stations and certain facilities in the State of New Jersey in connection with alleged discharges of contaminants at: (1) the former Exxon Mobil facility and site located at 250 East 22nd Street, Bayonne, Hudson County, New Jersey (“Bayonne”); (2) the former Exxon Mobil facility and site located at 1400 Park Avenue, Linden, Union County, New Jersey (“Bayway”); (3) Exxon Mobil retail gasoline stations in New Jersey, which includes any gasoline service station in New Jersey that Exxon Mobil owned, operated, or was branded Exxon or Mobil, or that Exxon Mobil currently owns, operates, or is branded Exxon or Mobil (“Exxon Mobil Retail Gasoline

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Stations”); and (4) an additional 16 facilities listed on Attachment C to the Consent Judgment (“Exxon Mobil Facilities”), which have the following names and addresses:

- i. Atlantic City Terminal 98-ACP (NJEMS ID 144158; 2141 Absecon Blvd., Atlantic City);
- ii. Atlantic City Terminal #3001 (NJEMS ID 12799; New Jersey & Magellan Aves., Atlantic City);
- iii. Edison Research Lab (NJEMS ID 14340; 2195 Route 27, Edison);
- iv. Edison Synthetics Plant (NJEMS ID 149606; 2195 Route 27, Edison);
- v. Flemington Terminal (NJEMS ID 14569; 198 Routes 202 & 31, Flemington);
- vi. Florham Park Facility (NJEMS ID 3834; 180 Park Ave., Florham Park);
- vii. Trenton Terminal #29005 (NJEMS ID 6520; 2785 Lamberton Rd., Hamilton);
- viii. Linden Technical Center (NJEMS ID 14706; 1900 E. Linden Ave., Linden);
- ix. Linden Terminal #29074 (NJEMS ID 971; 3700 S. Wood Ave., Linden);
- x. Long Branch Terminal (NJEMS ID 4493; 160 West End Ave., Long Branch);
- xi. Morristown Municipal Airport Fuel Farm (NJEMS ID 3794; 8 Airport Rd., Morristown);
- xii. Paulsboro Terminal #3045 (NJEMS ID 63678; 800 Billingsport Rd., Paulsboro);
- xiii. Paulsboro Lube Plant #29004 (NJEMS ID 14544; 1001 Billingsport Road, Paulsboro);
- xiv. Former Tomah Facility (NJEMS ID 43331; 32 Pennsgrove-Pedricktown Rd., Pedricktown);

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xv. Pennington Facility (NJEMS ID 15824; 311 Pennington-Rocky Hill Rd., Pennington); and

xvi. Teterboro Airport Fuel Farm (NJEMS ID 50155; Malcolm Ave., Teterboro).

Under the proposed Consent Judgment, for a total payment by Exxon Mobil of \$225 million, the NJDEP and Exxon Mobil have agreed:

(1) to settle Exxon Mobil's alleged liability to the NJDEP for alleged natural resource damages ("NRD") for: (a) all claims based on discharges of contaminants that were the subject of the Bayway/Bayonne Litigation, except for surface water claims, which are addressed below; (b) all NRD claims that were asserted or could have been asserted in the Bayway/Bayonne Litigation arising from Exxon Mobil's activities at Bayway and Bayonne, except for surface water claims, which are addressed below; (c) all claims that were asserted or could have been asserted in the Paulsboro Litigation; (d) all NRD claims relating to Exxon Mobil Retail Gasoline Stations, excluding any claims relating to such stations where MTBE has been discharged; (e) all NRD claims relating to all Exxon Mobil Retail Gasoline Stations other than the claims alleged in the case captioned NJDEP v. Atlantic Richfield Company, et al., Case No. 08 Civ. 00312, Master File No. 1:00-1898, MDL 1358 (SAS) (SDNY); and (f) all NRD claims relating to all facilities listed on Attachment C to the Consent Judgment, excluding any claims relating to such facility listed on Attachment C, except for Paulsboro Terminal #3045, where MTBE has been discharged;

(2) to defer the final remedy determination for Morses Creek until the cessation of refinery operations at Bayway. The extent of Morses Creek is shown in Attachment A to the Consent Judgment; and

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(3) that NJDEP will dismiss, without prejudice, the surface water claims against Exxon Mobil for Bayonne and Bayway.

Exxon Mobil remains obligated to conduct and complete remediation at the sites covered by this Consent Judgment.

A copy of the proposed Consent Judgment is available for inspection via the internet at <http://www.nj.gov/dep/nrr/settlements/index.html>. For members of the public who do not have access to the Internet, a dedicated computer is available for public use at the Department's main office at 401 East State Street, in Trenton, New Jersey, and this document can be accessed at a publicly available computer at most public libraries. Requests to inspect a hard copy of the proposed Consent Judgment in Trenton, or any questions regarding internet access should be directed to the Office of Record Access, NJDEP, P.O. Box 420, Mail Code 401-06Q, Trenton, NJ 08625-0420 or via email at records.custodian@dep.nj.gov.

Written comments may be submitted electronically by June 5, 2015 to ExxonMobilBaywaySettlement@dep.nj.gov, referencing "Exxon Mobil Bayway Settlement" in the subject line of the email; or in hard copy to:

Office of Record Access
NJDEP
Attn: Exxon Mobil Bayway Comments
P.O. Box 420, Mail Code 401-06Q
Trenton, NJ 08625-0420

The Department will consider all comments received and may decide to withdraw or withhold consent to the entry of the Consent Judgment if comments received disclose facts or considerations that show that the Consent Judgment is inappropriate, improper or inadequate.